

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

**EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 28, 2012**

Senate Chamber

President Little called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Lodge, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Ben Stringham, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 27, 2012, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 27, 2012

The FINANCE Committee reports out [H 695](#), [H 696](#), [S 1415](#), and [S 1416](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 695](#), [H 696](#), [S 1415](#), and [S 1416](#) were filed for second reading.

Senator Lodge was recorded present at this order of business.

March 27, 2012

The JUDICIARY AND RULES Committee reports out [H 639](#), as amended, with the recommendation that it do pass.

DARRINGTON, Chairman

[H 639](#), as amended, was filed for second reading.

March 27, 2012

The JUDICIARY AND RULES Committee reports that [S 1343](#), [S 1363](#), [S 1365](#), [S 1366](#), and [S 1373](#) have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1343](#), [S 1363](#), [S 1365](#), [S 1366](#), and [S 1373](#) and ordered them transmitted to the House for the signature of the Speaker.

March 27, 2012

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 687](#) and [H 691](#) with the recommendation that they do pass.

CORDER, Chairman

[H 687](#) and [H 691](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 27, 2012

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1260](#), [S 1261](#), [S 1262](#), [S 1273](#), [S 1289](#),
[S 1291](#), [S 1307](#), [S 1314](#), [S 1319](#), [S 1323](#), as
amended, [S 1332](#), [S 1335](#), [S 1346](#), [S 1359](#),
[S 1377](#), and [S 1381](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

March 27, 2012

Dear Mr. President:

I transmit herewith [H 693](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 693](#) was filed for first reading.

March 27, 2012

Dear Mr. President:

I transmit herewith Enrolled [H 458](#), [H 682](#), [H 668](#), [H 669](#), [H 674](#), [H 675](#), [H 676](#), [H 564](#), as amended, as amended in the Senate, [H 439](#), as amended, as amended in the Senate, [H 631](#), as amended, [H 443](#), [H 479](#), as amended, [H 577](#), [H 599](#), [H 414](#), [H 651](#), [H 485](#), as amended, [HCR 47](#), and [HJM 14](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 458](#), [H 682](#), [H 668](#), [H 669](#), [H 674](#), [H 675](#), [H 676](#), [H 564](#), as amended, as amended in the Senate, [H 439](#), as amended, as amended in the Senate, [H 631](#), as amended, [H 443](#), [H 479](#), as amended, [H 577](#), [H 599](#), [H 414](#), [H 651](#), [H 485](#), as amended, [HCR 47](#), and [HJM 14](#) and ordered them returned to the House.

March 27, 2012

Dear Mr. President:

I return herewith [S 1390](#), as amended, [S 1395](#), [S 1406](#), [S 1407](#), [S 1409](#), [S 1410](#), and [S 1408](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1390](#), as amended, [S 1395](#), [S 1406](#), [S 1407](#), [S 1409](#), [S 1410](#), and [S 1408](#) were referred to the Judiciary and Rules Committee for enrolling.

March 27, 2012

Dear Mr. President:

I return herewith Enrolled [S 1243](#), as amended in the House, as amended in the House, [S 1274](#), as amended in the House, [S 1383](#), as amended, [S 1401](#), [S 1402](#), [S 1403](#), [S 1404](#), [S 1405](#), [S 1393](#), [S 1394](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), and [S 1400](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1243](#), as amended in the House, as amended in the House, [S 1274](#), as amended in the House, [S 1383](#), as amended, [S 1401](#), [S 1402](#), [S 1403](#), [S 1404](#), [S 1405](#), [S 1393](#), [S 1394](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), and [S 1400](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 27, 2012

Dear Mr. President:

I return herewith Enrolled [SCR 125](#), [SCR 130](#), [SCR 131](#), [SCR 132](#), [SJM 103](#), [SJM 104](#), and [SJM 105](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 125](#), [SCR 130](#), [SCR 131](#), [SCR 132](#), [SJM 103](#), [SJM 104](#), and [SJM 105](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 693](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 684](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 35.

Whereupon the President declared [H 684](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 685](#) retained its place on the Third Reading Calendar for one legislative day.

President Little called Senator Broadsword to the Chair.

[H 686](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 35.

Whereupon the Acting President declared [H 686](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 685](#) was placed before the Senate for final consideration at this time.

[H 685](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk. Total - 34.

NAYS—None.

Absent and excused—Winder. Total - 1.

Total - 35.

Whereupon the President declared [H 685](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [S 1256](#), as amended in the House, retained its place on the Third Reading Calendar for one legislative day.

[S 1412](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—McKague. Total - 1.

Total - 35.

Whereupon the Acting President declared [S 1412](#) passed, title was approved, and the bill ordered transmitted to the House.

President Little returned to the Chair.

On request by Senator Davis, granted by unanimous consent, **S 1256, as amended in the House**, was placed before the Senate for final consideration at this time.

[S 1256](#), as amended in the House, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Broadsword, Cameron, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Keough, Lodge, McKague, McKenzie, Rice, Siddoway, Smyser, Winder. Total - 19.

NAYS—Andreason, Bilyeu, Bock, Corder, Johnson, LeFavour, Malepeai, Mortimer, Nuxoll, Pearce, Schmidt, Stennett, Tippetts, Toryanski, Vick, Werk. Total - 16.

Total - 35.

Whereupon the President declared [S 1256](#), as amended in the House, passed, title was approved, and the bill referred to Judiciary and Rules Committee for enrolling.

[S 1413](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Tippetts, Toryanski, Vick, Winder. Total - 28.

NAYS—Bilyeu, Bock, LeFavour, Malepeai, Schmidt, Stennett, Werk. Total - 7.

Total - 35.

Whereupon the President declared [S 1413](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1414](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 35.

Whereupon the President declared [S 1414](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 672](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 35.

Whereupon the President declared [H 672](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, [H 653](#) was removed from the Consent Calendar and placed before the Senate for consideration at this time.

[H 653](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Smyser, Stennett, Tippetts, Toryanski, Vick, Werk, Winder. Total - 35.

Whereupon the President declared [H 653](#) passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Fourteenth Order of Business.

On request by Senator Brackett, granted by unanimous consent, [S 1282](#) was recommitted to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Malepeai, by voice vote, the Senate recessed at 12:20 p.m. until the hour of 2 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senator Schmidt, absent and formally excused by the Chair; and Senators Brackett, Cameron, Fulcher, Lodge, McKague, and Pearce, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

March 28, 2012

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 125](#), [SCR 130](#), [SCR 131](#), [SCR 132](#), [SJM 103](#), [SJM 104](#), and [SJM 105](#) were delivered to the Office of the Secretary of State at 10:35 a.m., March 28, 2012.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

Senator Cameron was recorded present at this order of business.

March 28, 2012

The JUDICIARY AND RULES Committee reports that Enrolled [S 1243](#), as amended in the House, as amended in the House, [S 1274](#), as amended in the House, [S 1383](#), as amended, [S 1401](#), [S 1402](#), [S 1403](#), [S 1404](#), [S 1405](#), [S 1393](#), [S 1394](#), [S 1396](#), [S 1397](#), [S 1398](#), [S 1399](#), and [S 1400](#) were delivered to the Office of the Governor at 11:11 a.m., March 28, 2012.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 28, 2012

The JUDICIARY AND RULES Committee reports that [S 1390](#), as amended, [S 1395](#), [S 1406](#), [S 1407](#), [S 1409](#), [S 1410](#), [S 1408](#), and [S 1256](#), as amended in the House, have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1390](#), as amended, [S 1395](#), [S 1406](#), [S 1407](#), [S 1409](#), [S 1410](#), [S 1408](#), and [S 1256](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

Senators Brackett, Lodge, and McKague were recorded present at this order of business.

March 28, 2012

Dear Mr. President:

I transmit herewith [H 660](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 660](#) was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 660](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Werk, that all rules of the Senate interfering with the immediate passage of [H 695](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 695](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Goedde, Hammond, Heider, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 31.

NAYS—None.

Absent and excused—Fulcher, Hill, Pearce, Schmidt. Total - 4.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

Senators Fulcher and Pearce were recorded present at this order of business.

[H 695](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Brackett, Cameron, Corder, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Keough, Lodge, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Tippets, Toryanski, Vick, Winder. Total - 23.

NAYS—Andreason, Bilyeu, Bock, Broadsword, Darrington, Johnson, LeFavour, Malepeai, McKague, Stennett, Werk. Total - 11.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 695](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate passage of [H 696](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 696](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 696](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 696](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate passage of [S 1415](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1415](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1415](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1415](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate passage of [S 1416](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [S 1416](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[S 1416](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1416](#) passed, title was approved, and the bill ordered transmitted to the House.

Motion to Suspend Rules

Moved by Senator Winder, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate passage of [H 639](#), as amended, be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 639](#), as amended, be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 639](#), as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 639](#), as amended, passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate passage of [H 687](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 687](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 687](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 687](#) passed, title was approved, and the bill ordered returned to the House.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Malepeai, that all rules of the Senate interfering with the immediate passage of [H 691](#) be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that [H 691](#) be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, LeFavour, Lodge, Malepeai, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Stennett, Tippets, Toryanski, Vick, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

[H 691](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Goedde, Hammond, Heider, Hill, Johnson, Keough, Lodge, McKague, McKenzie, Mortimer, Nuxoll, Pearce, Rice, Siddoway, Smyser, Tippets, Toryanski, Vick, Werk, Winder. Total - 31.

NAYS—LeFavour, Malepeai, Stennett. Total - 3.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 691](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 28, 2012

Dear Mr. President:

I transmit herewith [H 697](#) and [H 662](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 697](#) and [H 662](#) were filed for first reading.

March 28, 2012

Dear Mr. President:

I return herewith [S 1303](#), as amended in the House, which has passed the House.

ALEXANDER, Chief Clerk

On request by Senator Davis, granted by unanimous consent, [S 1303](#), as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the House amendments to [S 1303](#), as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to [S 1303](#), as amended in the House?"

On request by Senator Davis, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to [S 1303](#), as amended in the House.

[S 1303](#), as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 697](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 662](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Malepeai, by voice vote, the Senate adjourned at 4:10 p.m. until the hour of 10 a.m., Thursday, March 29, 2012.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary